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WAR-POWER CURBS DEBATED IN SENATE

Bill Would Restrict the Use
of Forces by the President

By JOHN W. FINNEY

Special to The New York Times

WASHINGTON, March 29—

The Senate began debate today on a bill that its sponsors contend is necessary to check the war-making powers of the presidency. The Administration has protested that the measure is unconstitutional and unwise.

The legislation would authorize the president to use military forces in certain emergencies but for not more than 30 days without congressional approval.

The Administration's last-minute lobbying effort included a letter by Secretary of State William P. Rogers warning that the bill "would violate the Constitution and, far from preventing future military involvement, would increase the likelihood of such involvement."

The letter, written last Friday to Senator Gordon P. Allott, Republican of Colorado, was made public by the Senator and at the State Department as the debate began.

Senate Approval Expected

With the broad support behind the bill, however, it appeared unlikely that the Administration could defeat the measure in the Senate, although it might succeed blocking it in the House of Representatives.

According to Republican sources, the Administration has been able to line up only three Republicans, Senators Barry Goldwater of Arizona, Roman L. Hruska of Nebraska and Peter H. Dominick of Colorado, and one Democrat, Senator Gale W. McGee of Wyoming, to speak against the bill.

Opening the debate today, Senator Jacob K. Javits, Republican of New York, the principal architect of the bill along with Senator John Stennis, Democrat of Mississippi, described it as "one of the most important pieces of legislation in the national security field that has come before the Senate in this century."

All voting has been put off until next week, largely to accommodate Senator Goldwater, who has gone to California to attend his son's wedding tomorrow.

The legislation, cosponsored by 24 Senators, would authorize the president to use the armed forces to repel an attack on the United

States or to forestall "the direct and imminent threat of such an attack," to repel or forestall an attack upon United States forces abroad, or to protect American citizens being evacuated from a foreign country.

The President would be required to report promptly to Congress and could not continue hostilities for more than 30 days without receiving "specific statutory authorization" from Congress.

Contending that the Constitution intended that the war-making power should be shared by Congress and the President, Senator Javits and his colleagues argued that a dangerous constitutional imbalance have assumed what they described as a power to commit the nation to undeclared wars

without the specific consent of Congress.

The Administration's basic argument has been that no legislative restraints should be placed upon the President's powers as commander in chief and that the division of the war-making powers should continue to depend upon a political process of cooperation between Congress and the President.

Referring in particular to the Vietnam war, Senator Javits said "it is the failure of this approach which necessitates a war-powers bill."

In his letter, Mr. Rogers said that the present allocation of war powers "has survived the test of time for nearly two centuries, as basic to our system, and should be changed, if at all, only by Constitutional amendment."

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War Powers Bill

Attempt to Divert War-Powers Bill Opposed in Senate

Special to The New York Times

WASHINGTON, March 30 —
~~Senator John Stennis, Chairman
of the Armed Services Commit-
tee, and Senator Mike Mans-
field, the majority leader, to-
day opposed moves to divert to
the Senate Judiciary Commit-
tee a bill denying the Presi-
dent's war-making powers.
Such a diversion is favored by
the Nixon Administration.~~

The legislation, now before
the Senate, would authorize the
President to use the armed
forces in certain emergencies.
But it would provide that he
could not continue hostilities
for more than 30 days without
Congressional approval.

Lacking the votes to defeat
the measure directly, the Ad-
ministration is seeking to have
it referred to the Judiciary
Committee or move that Sena-
tor Mansfield said "would
amount to sending it to a
graveyard."

Senator Stennis, a leader
among the Southern conserva-
tives, who is a cosponsor of
the bill, said he hoped the Sen-
ate "would come to grips with
this issue now" and not send
the bill to the Judiciary Com-
mittee.

Senator Barry Goldwater, Re-
publican of Arizona, issued a
statement charging that the bill
was "as shot through with holes
as limburger cheese."

All voting on the measure
has been put off until next
week, largely to accommodate
Senator Goldwater, who has
gone to California to attend his
son's wedding.

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President's War Powers

Senator Javits is indulging in Nixonian hyperbole when he asserts that his War Powers Act, currently before the Senate, is "one of the most important pieces of legislation in the national security field that has come before the Senate in this century." The act merely attempts to spell out powers which Congress has always enjoyed under the Constitution but which successive Congresses, especially in recent years, have allowed dangerously to erode. Unless Congress acts more responsibly than it did, for example, in 1964 when the Tonkin Gulf Resolution was hastily adopted without serious challenge, the War Powers Act is not likely to prove effective in checking the arbitrary extension of Presidential authority in the war-making field.

The Javits bill is, however, a useful appendage to the Constitutional powers because it compels Congress to face up to its responsibilities. While granting the President ample latitude to act immediately in emergency situations, the bill requires a prompt report to Congress and Congressional authorization for the continuation of hostilities beyond 30 days. Congress could no longer allow a Presidential initiative to stand and grow by default as it has done time and again during the steady escalation of the Indochina conflict.

Administration spokesmen have assailed the War Powers Act as an unconstitutional abridgement of the President's powers as commander-in-chief. But it is the President and his predecessors who have defied the Constitution by ascribing to the commander-in-chief exclusive powers to commit the nation to war that were certainly not intended by the Founding Fathers. Senator Javits has pointed out that the Second Continental Congress, wary of the arbitrary authority of kings, strictly instructed George Washington as commander-in-chief "...punctually to observe and follow such orders and directions...from this or a future Congress..."

In a nuclear age when the President of the United States commands forces of unprecedented power scattered around a volatile globe it is especially important to reassert the Congressional checks on Presidential war-making authority that were explicitly written into the Constitution. Senate passage of the War Powers Act could be a significant step toward redressing a perilous imbalance in the American federal system.

war powers bill

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THE WASHINGTON POST

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Stennis Tells Hill War Powers Bill Won't Hurt Safety

By Spencer Rich
Washington Post Staff Writer

Armed Services Committee

Chairman John Stennis (D-Miss.) assured the Senate yesterday that the President would retain full power to protect the nation in military emergencies under the terms of the war powers bill now being debated on the Senate floor.

"I speak as one who is not wanting to restrict the President of the United States," declared Stennis in his deep booming voice. "I speak as one who has a voting record over the years as leaning toward the executive powers . . . I don't want anyone in the President's office to sit idly by and fail to act in an emergency, and I say this resolution fully takes care of the situation."

The bill, of which Stennis is a cosponsor, permits the President to wage undeclared war for up to 30 days in emergency situations, but requires him to come to Congress if he wishes to extend hostilities beyond that period. Sponsors say it would restore the eroded constitutional power of Congress to determine when the nation shall go to war. Critics argue that it could hamstring the President, and the Nixon administration opposes it.

Stennis, the single most prestigious figure in Congress on military matters, said the measure had been carefully tailored to give the President flexibility to act in all genuine emergency threats to the United States, without giving him the complete freedom to carry on hostilities indefinitely without congressional assent which passive Congresses have allowed presidents over the past two generations.

"There is some flexibility in the language of the bill itself," said the Mississippi senator. "The authority of the President to use the armed forces without prior congressional approval is recognized in the event of armed attacks upon the United States or its forces and in the event such use is required to evacuate American citizens in foreign countries. It is important to note that the President is also authorized not only to repel such armed attacks, but also to 'forestall the imminent threat' of attack upon the United States or its armed forces."

Stennis said he saw nothing in the bill that would cripple the United States in efforts to carry out its commitments to NATO—a point on which he was strongly backed by Sen. William B. Spong (D-Va.), another sponsor. Spong said he expected that as debate proceeds, one "red herring" after another would be brought forth, like the NATO charge or the contention that the bill dilutes presidential powers, rather than merely reasserting Congress's power to set out conditions for exercise of the

Majority Leader Mike Mans-

field said, "I do not want to see another Dominican intervention . . . I do not want to see another Vietnam" unless Congress gives its full, express approval.

"In a quarter of a century, Congress has not been consulted in the use-of-force decisions," said Spong.

Sen. Robert Taft Jr. (R-Ohio), another sponsor, declared, "War is not only important to be left to the generals, the American people abhor war to such an extent that it is too important to be left to the President alone."

Sen. Gale W. McGee (D-Wyo.) suggested it might be better to appoint a high-level presidential commission to study the whole question of war decision-making in the Constitution and hinted he may propose such a floor amendment.

Sen. Barry Goldwater (R-Ariz.), meanwhile, issued a press release enumerating what he said were the bill's restrictions on emergency action by the President. Goldwater's contentions had been contradicted earlier by Sen. Jacob K. Javits (R-N.Y.), the chief GOP sponsor, in a floor discussion with other senators.

Goldwater said the bill doesn't give the President enough discretion to determine what is an emergency justifying action without congressional assent.

Senate Approves War Measure

By Spencer Rich

Washington Post Staff Writer

The Senate by a 59-to-0 vote adopted an amendment to the war powers bill yesterday spelling out the President's right to take action to protect the lives of American troops, to protect U.S. nationals and citizens in danger on the high seas and to have U.S. officers participate in the NATO joint command structure.

The amendment was offered by the bill's sponsors—William B. Spong (D-Va.), Jacob K. Javits (R-N.Y.) John Stennis (D-Miss.) and Thomas F. Eagleton (D-Mo.)—to reassure critics that the legislation won't tie the President's hands in critical situations.

Under the bill, the President would be barred from waging undeclared war except to protect the United States or U.S. troops stationed abroad from attack or imminent

threat of attack, to rescue U.S. nationals endangered in a foreign land, or to carry out specific congressional authorizations. Even then, however, the bill would require him to cease the military action within 30 days unless he came back to congress and obtained express permission to continue it.

Critics of the administration-opposed measure, such as Barry Goldwater (R-Ariz.) and Peter Dominick (R-Colo.), had argued that the bill might require the President to stop military action abruptly after the 30 days, even if that left U.S. troops exposed to severe and immediate peril; might forbid rescue of non-military personnel on the high seas and might bar U.S. participation in the North Atlantic Treaty Organization command without a specific authorization from Congress.

Spong, Javits and Eagleton

told the Senate yesterday that this wasn't so, but in a gesture of conciliation offered an amendment spelling out their interpretation.

The amendment allows the President to continue an emergency action beyond the 30-day limit, even if Congress hasn't acted to authorize continuation, when he "determines and certifies in writing

to the congress that unavoidable military necessity respecting the safety of the armed forces . . . requires the continued use of such armed forces in the course of bringing about a prompt disengagement from such hostilities . . ."

Authorizes him to take emergency action with advance congressional approval in "any situation on the high seas involving a direct and imminent threat to the lives of (American) citizens and nationals."

Specifically permits U.S. officers to participate in NATO's joint command and similar unified command structures.

The purpose of the bill is to prevent the President from committing the United States to war without congressional assent, while preserving his power to defend the country in emergencies.

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Who's Got the Power?

By EUGENE V. ROSTOW

NEW HAVEN, Conn.—The Javits war-powers bill confirms Oliver Wendell Holmes' quip that "great cases like hard cases make bad law" more vividly than any proposal since that of the Bricker Amendment. Responding to Vietnam, the Javits bill would radically change the constitutional relationship between Congress and the Presidency in making foreign policy. Ignoring their own repeated votes for Vietnam, the sponsors contend that the cause of the Vietnam tragedy is a modern usurpation of the war power by the President. As Senator Cooper points out, this claim rewrites history.

The Javits bill would annul the military provisions of all outstanding treaties and Congressional resolutions authorizing the use of force by the President, including NATO and the Middle East Resolution, as well as all Presidential commitments.

The bill is full of paradox. While it purports to assure the nation that a pacific Congress will keep jingoistic Presidents from engaging in limited wars like Korea or Vietnam, the bill would not have prevented Vietnam, which was authorized by Congress through the very procedures proposed in the bill as constitutionally proper. In Korea, the Javits bill would have required President Truman to obtain a Congressional resolution within thirty days—which would surely have been voted at the time, although Truman and the Congressional leaders thought it unwise to do so under the circumstances.

But if the Javits bill had been on the books, it would have prevented President Kennedy from handling the Cuban missile crisis as he did. There was no claim on that occasion that we were acting to forestall an imminent threat of armed attack. Under the Javits bill, Mr. Johnson could not have moved the fleet to keep the Soviet Union out of the Six-Day War in 1967. Mr. Nixon could not have used the same method to avert general war in the Middle East in 1970, or to confine the India-Pakistan War of 1972. Nor could earlier Presidents have used force or the threat of force to induce France to leave Mexico in 1865-66, to avoid war with Britain and Spain over Florida, or to send Commodore Perry to Japan.

The Javits bill would deprive the Presidency of powers which were used by George Washington and by nearly every President since—the powers of credible deterrent diplomacy the nation needs most if there is to be any hope

dency, which the Founding Fathers were at pains to establish as an equal branch of the tripartite government, to the humble posture of George Washington during the Revolution, when he functioned as Commander in Chief, appointed by the Congress, and its creature in every respect.

Congress has made no bid for supremacy so bold, and so foreign to the Constitution, since the impeachment of Andrew Johnson. The legal theory of the bill would permit a plenipotentiary Congress to dominate the Presidency (and the courts) more completely than the House of Commons governs in Great Britain.

I do not favor increased Presidential power. But I do defend the constitutional pattern of enforced cooperation between Congress and President we have inherited. Its corollary, however, is democratic responsibility. It is unseemly for astute and worldly men who spoke and voted for SEATO, the Tonkin Gulf Resolution, and other legislative steps into the Vietnam War now to claim that they were brainwashed, and therefore that we—and the world—should treat public acts of the United States as if they never happened. These men were not brainwashed. They knew everything the executive knew. But even if they had been brainwashed, their votes stand. The Fourteenth Amendment is not a nullity because it was ratified by many legislatures which voted under circumstances of fraud, or the coercion of military occupation.

Korea and Vietnam did not come about because the Presidency arrogated Congress' powers over foreign policy. The Congress fully supported those efforts when they were undertaken. The country is in a foreign policy crisis, however—not a constitutional crisis, but an intellectual and emotional crisis caused by growing tension between what we do and what we think. The ideas which guided our response to Korea and Vietnam have suddenly lost their power to command. Those who now believe Korea and Vietnam were errors should recall the prudent wisdom of an earlier time, when the powers of the Supreme Court were left untouched even after the catastrophic error of Dred Scott. We have never needed the strong Presidency we have developed in nearly 200 years of intense experience more than we need it today. The Javits bill would turn the clock back to the Articles of Confederation, and emasculate the independent Presidency it was one of the chief aims of the men of Annapolis and Philadelphia to create.

WAK Powers Rice

THE WASHINGTON POST

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DATE 11 APR 1972 PAGE *ed*

"Hot-Stove" Legislation

Bill Would Curb Warmaking Power of Past Presidents

By Kenneth Crawford

CONGRESS is now working on a law to prevent Presidents Kennedy and Johnson from involving the United States in the defense of South Vietnam. Since the effort comes ten years or so late, the law's sponsors explain that their object is to forestall "another Vietnam."

The chance that any President would so ignore tragic experience as to undertake again anything remotely like the Vietnam intervention is about the same as the chance that a child who has burned his hand on a hot stove would do the same thing a second time.

Yet there is always someone, after a burning, who feels that there ought to be a law against hot stoves. This time it is Sen. Jacob Javits of New York, author of the so-called war powers bill, now under debate in the Senate and scheduled for a vote today. His measure seems to have majority support in the Senate, though perhaps not in the House. In any case, a presidential veto is virtually certain if it gets as far as the White House.

This is not the first time hot-stove legislation has been handled by Congress. After the first world war and a Senate investigation of "merchants of death", the House and Senate wrote a set of neutrality laws to prevent President Wilson, then long dead, from involving the U.S. in a European war.

The effect of these laws was to hamstring President Roosevelt in his attempt to help contain Adolph Hitler before the Nazis could overrun all of Europe and precipitate another world war. Obviously, Hitler posed a different and more serious threat to the

world than Kaiser Wilhelm had. Fortunately, Roosevelt, before it was too late, found ways through, over and around the neutrality laws.

What the Javits bill would do is limit a President's authority to employ armed forces abroad. In emergencies he could order the Army, Navy, Air Force or Marine Corps, or all four, into action overseas. But he could not keep them in action for more than 30 days without specific congressional sanction. Pending amendments would not substantially change the purpose and thrust of the legislation.

Opponents argue that the war powers bill, like the neutrality laws, however well intentioned, would only straightjacket future administrations by undertaking to anticipate unpredictable international developments. They even doubt the constitutionality of the proposed redistribution of war-making powers. Why, they ask, change a system that has served the nation well for almost 200 years? Why abandon flexibility in favor of rigidity at a time when world affairs are as chaotic as they are now?

Proponents counter with the argument that Vietnam has demonstrated the necessity of "redressing" the balance of war powers between Congress and the President. The Constitution gives Congress the exclusive right to declare war but the present war has never been declared. It has been fought

by executive decree. What this overlooks is that this country has engaged in armed conflict more than 200 times, going all the way back to George Washington, even though Congress has declared war only five times. A balance that never has existed can't be redressed.

Not all members of the Senate have made up their minds about war powers. Some of them consider the Javits bill innocuous on the assumption that Congress would never in any conceivable circumstance pull the rug from under a President once U.S. military forces were committed. They point out that Congress already has ample authority to stop an American shooting war. Its control of the purse strings could have been used to stop American operations in Vietnam at any point.

When Congress adopted the Bay of Tonkin resolution in 1964 with only two dissenting votes in the Senate and none in the House it was approving President Johnson's escalation as surely as it could have with the Javits bill in effect. Within a year, moreover, Johnson asked for an additional \$700 million for Vietnam operations in a message specifically inviting Congress to withhold the funds if it disapproved of his war policy. Again the approving vote was almost unanimous.

Several senators are skeptical of the notion that Congress would be more restrained than a President in the face of provocation. It never has been in the past, not even in the case of Vietnam. Some of the skeptics will nevertheless vote for the Javits bill. Such a vote for them will be a gesture denoting second thoughts about Vietnam. A post facto vote against an unpopular war can't do them any harm.

Both advocates and foes of the Javits bill are convinced that it is the most important legislation Congress will consider at this session. Advocates believe it can help heal the Vietnam sickness that has infected American society. Foes are equally convinced that it would undermine this country's diplomatic credibility. Yet Senate debate on the issue has attracted a minimum of attention from media and public.

Perhaps this is because, like all debates on Constitution-related questions, this one has been serious and unspectacular. War powers lack the spice of an ITT investigation. Indifference may be partially explained, too, by doubts that Congress could pass the Javits bill over a presidential veto. Secretary of State William Rogers, obviously speaking for the White House, has challenged both the validity and the practicality of the proposed legislation.

However, neither in floor debate nor in Rogers's statements has the most telling cloak-room argument against the bill been mentioned. It is that passage would be regarded by America's allies as a signal that Chairman William Fulbright and his Senate Foreign Relations committee are about to assume control of American foreign policy.

War Powers Bill Wins Senate Test

By Spencer Rich
Washington Post Staff Writer

In a key victory for supporters of the bill to reassert the war powers of Congress, the Senate yesterday refused by a 60 to 26 vote to send the legislation to the Judiciary Committee for 45 days of study.

The motion—offered by Sen. Roman L. Hruska (R-Neb.) and backed by the Nixon administration—had been regarded as a major test of Senate sentiment on the measure.

Hruska argued that, although the bill already had been approved by the Foreign Relations Committee, the Judiciary Committee should determine whether its provisions impinge on the President's constitutional powers as commander in chief.

Sponsors of the bill, who include Jacob K. Javits (R-N.Y.), William B. Spong (D-Va.), John Stennis (D-Miss.) and Thomas F. Eagleton (D-Mo.) countered that it doesn't change the Constitution and that the referral move simply was an attempt to delay rapid passage so opponents could work up a new campaign.

The bill is an attempt to reassert the congressional power to determine when the nation shall go to war, which Javits, Spong and others say has been largely ignored by presidents over several generations.

See DEBATE, A4, Col. 1

DEBATE, From A1

Under the bill, the President in future may engage in undeclared wars for up to 30 days in emergency situations, but then must come back to Congress if he wants to continue the military action. The emergencies in which the President may act without the advance approval of Congress include attack on the United States, its armed forces or its nationals on the high seas, or imminent threat of attack upon the United States or its armed forces.

Opponents, led by Barry Goldwater (R-Ariz.) and Peter Dominick (R-Colo.), have argued that the bill could tie the President's hands in certain emergencies. Stennis, chairman of the Armed Services Committee, has insisted this is not so.

Yesterday's test vote indicated that the bill's supporters have an overwhelming majority in the Senate, though House prospects are less sanguine. Despite administration

opposition to the bill, 19 Republicans voted against Hruska's move, while 23 were voting for it. Only three Democrats voted with Hruska, while 41 were opposing him. Of the Maryland and Virginia senators, only J. Glenn Beall (R-Md.) supported Hruska.

After the Hruska move was beaten, Sen. Mike Gravel (D-Alaska) forced votes on two proposals to apply the principles of the bill to the present war in Vietnam, which the bill specifically exempts from its terms.

Spong and Javits leaped to their feet arguing that the bill was an attempt to work out a future procedure for congressional review of emergency military actions taken without advance authorization, and that it would be impossible to act if the present war with its bitter disputes and complexities were dragged into the discussion.

Gravel's first amendment, beaten 74 to 11, would in ef-

fect have given the President 45 days to end the Vietnam war unless Congress approved a declaration of war in the meanwhile. The only senators voting with Gravel on this were Alan Cranston (D-Calif.), J. W. Fulbright (D-Ark.), Fred R. Harris (D-Okla.), Philip A. Hart (D-Mich.), Harold Hughes (D-Iowa), Edward M. Kennedy (D-Mass.), Mike Mansfield (D-Mont.), Walter Mondale (D-Minn.), Gaylord Nelson (D-Wis.) and Abraham A. Ribicoff (D-Conn.).

Gravel then offered a test amendment declaring war on North Vietnam, hoping that the Senate would reject it so he could then argue that the present war had been expressly repudiated. But instead of taking a direct vote, the Senate killed this proposal by tabling it, 78 to 7, with Cranston, Harris, Hart, Kennedy, Metcalf and Mondale joining Gravel in opposing the tabling move.

A Fulbright amendment, designed to make it clear that exemption of the Vietnam war from the bill shouldn't be construed as endorsing the legal basis for Vietnam action, was defeated, 56 to 28. Spong said he already construed the bill the way Fulbright wanted, and he preferred not to add amendments of that type for fear of tying up the bill.

Pending as the Senate adjourned was a Beall amendment to create a 24-member study commission on war powers and wipe out all other provisions.

NEW YORK TIMES

12 Apr 72

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War Powers Bill Wins Test in Senate, 60 to 26

By JOHN W. FINNEY

Special to The New York Times

WASHINGTON, April 11 — Legislation defining the war powers of the president survived a test today when the Senate refused, by a vote of 60 to 26, to send the measure to the Judiciary Committee for further study.

The one-sided vote indicated that the Senate, probably later this week, would approve the measure. The bill, while authorizing the President to make emergency use of the armed forces, would provide that he cannot continue hostilities for more than 30 days without congressional approval.

As the Senate finally settled down to voting on provisions of the bill after a week of debate, it refused to take a direct vote on a proposal by Senator Mike Gravel, Democrat of Alaska, that the United States declare war on North Vietnam. By a vote 78 to 7, the Senate laid aside the declaration, which Senator Gravel had offered as an amendment.

The senate also rejected, by a vote of 74 to 11, another Gravel amendment that would have specified that the legislation applied to the Vietnam war. The Vietnam war is excluded from the terms of the bill as it was approved by the Foreign Relations Committee.

Also defeated, by a vote of 56 to 28, was an amendment by Senator J. W. Fulbright, chairman of the Foreign Relations Committee, that would have specified that the bill, by exempting the Vietnam war, did not confer upon the President any authority to continue hostilities in Southeast Asia.

The effect of both the Gravel

and Fulbright proposals would have been to undo a basic understanding that led to sponsorship of the legislation by a coalition of liberals and conservatives.

Senator John Stennis, the chairman of the Armed Services Committee, for example, agreed to co-sponsor the bill with Senator Jacob K. Javits, Republican of New York, on the understanding that the measure would not apply to the Vietnam war.

The sponsorship of Senator Stennis is crucial in providing conservative support for the legislation.

From today's votes it was apparent that the coalition was holding firm and that it had a clear majority to drive the bill through the Senate over the opposition of the Administration. Even if passed by the Senate, however, the legislation is believed unlikely to be approved this year by the House.

The Administration, which has been opposing the bill as unconstitutional and as an unwarranted limitation upon the powers of the President, had hoped to block the measure by sending it to the Judiciary Committee. The motion was offered by Senator Roman L. Hruska, Republican of Nebraska, who along with Senator Barry Goldwater, Republican of Arizona, was working closely with State Department officials in lobbying against the measure.

Proponents of the measure said they sought to restore the war powers of the Congress by establishing procedures under which Congress, in an era of undeclared war, would be involved in decisions of war and peace.

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trated in a handful of locations, to the complete neglect of the rest of the nation. Neither of these are responsible alternatives, and I respectfully urge you to reject them both by increasing the allocations provided by this legislation.

I would like to make two final comments which are peripheral to the actual drug treatment programs, but which are so important that they cannot be ignored. The first is that research in drug control is vital, more so now than ever. With a crushing problem confronting us on a daily basis, it is easy to overlook or forget the need and long-range benefits of research programs. And yet perhaps no effort is more urgently needed than full-scale medical investigations of the physiological and psychological impact of drug abuse. I strongly urge that this important research not be delayed another day, least of all for want of adequate budget allocations.

Finally, I alluded earlier in my testimony to what I consider to be a disastrous plan to phase-out the NIMH Psychiatry Training Program completely over the next three years. This cut will mean a significant decrease in the number of psychiatric residency slots currently available. Fewer residencies will mean fewer psychiatrists. Fewer psychiatrists will mean an even more critical shortage of trained personnel to staff drug treatment centers. Here, perhaps as nowhere else in this budget, it is possible to see how closely related are all of these programs. Taken alone, the cutbacks in the Psychiatry Training Program seem ill-advised; when viewed against the need for competent drug treatment personnel, it appears to be nothing short of nonsensical.

To combat the drug abuse problem that haunts our playgrounds, our parks, our suburbs, our high schools, our cities, we must give our full support—financial as well as moral—to a full-scale, comprehensive Federal program.

THE WARMAKING POWERS OF CONGRESS

Mr. ROTH. Mr. President, as the United States continues to extricate itself from the land war in which we became involved in Southeast Asia during the decade of the 1960's, many of us in Congress, as well as many private individuals have begun to give increasing attention to the vital question of the role of Congress in the decisionmaking process which led to that involvement.

This question, it seems to me, breaks into two equally important parts: one deals with the warmaking powers of Congress and the other with the problem of providing adequate information to Congress in order that it may intelligently deal with the substantial questions of war and peace on which we are expected to act.

It is because of my deep concern that the legislative branch of the Government regain its constitutional status of coequality with the executive branch in the matter of decisionmaking that I am pleased to join the distinguished Senator from Kentucky (Mr. COOPER) and the distinguished Senators from Mississippi (Mr. STENNIS) and Montana (Mr. MANSFIELD) in sponsoring legislation pertaining to these areas.

The Cooper bill (S. 2224) is a direct outgrowth of the discussion and self-reflection which the publication of the so-called "Pentagon papers" stimulated earlier this summer. The revelations of

these previously classified documents and the historic decision of the Supreme Court permitting their publication have engendered debate on topics of vital concern and lasting importance to the Congress.

The essential issue here, of course, is the problem of providing information to Congress. Complete and accurate information from all available sources, should be accessible to the Congress. As matters now stand, Congress is sometimes denied access to current intelligence information compiled by the CIA and the intelligence community.

The Senator from Kentucky (Mr. COOPER) has presented a timely and constructive bill that will make such intelligence information available to the Congress just as it is already available to the Executive. His proposal, which I was pleased to cosponsor amends the National Security Act of 1947 by adding a section requiring the Central Intelligence Agency to provide individual Members of Congress, upon request, through the Committees on Armed Services and Foreign Affairs of the House of Representatives, and the Committees on Armed Services and Foreign Relations of the Senate, intelligence information and CIA's analysis thereof. The security of and access to the information provided to the Congress would be the responsibility of the committees, who would institute the necessary measures to provide clearances, secure areas, documents control, and so forth.

The National Security Act of 1947 does not specifically bar intelligence information from Congress, but neither does it provide for the dissemination of such information. This proposal makes intelligence information available to the proper committees as a matter of law. If the Congress is to fulfill its constitutional responsibilities in the formulation of foreign policy and national security policy, it must have available intelligence facts and their analysis. Although the Central Intelligence Agency has often provided such information to certain committees and Members of Congress in the past, this has been done only at the pleasure of the Executive, and the veil of secrecy has been extended to cover too much that is necessary to make legislative decisions of great substantive importance to the American people. Proper disclosure to appropriate committees is a vital safeguard against Government adoption of positions and policies of unknown and potentially dangerous implications. Congress cannot be expected to function effectively if it is not acquainted with information about a particular subject in essentially the same detail that is in fact in the possession of the Executive.

Adoption of this proposal, S. 2224, will make available to Congress information absolutely essential if we are to fulfill our obligation to the people of this country. It will strengthen the balance of responsibility between the Executive and the legislature by promoting trust and reasoned judgment on matters relating to the national interest.

The second proposal—the Stennis-Mansfield resolution, Senate Joint Reso-

lution 95—is a reasoned and reasonable response to the other facet of the problem which I referred to earlier, namely the congressional responsibility in the warmaking process.

Senate Joint Resolution 95 does not in any way attempt to fix responsibility for the present tragedy in Southeast Asia on either the Democrats or the Republicans.

Instead, Senate Joint Resolution 95 attacks the heart of the whole 1971 problem. The fact that Congress has not declared war since the Second World War ended in 1945, despite the many conflicts and near conflicts we have engaged in, raises the question of who has the power to begin the wars we fight. Senate Joint Resolution 95 is not an attempt to rewrite the Constitution. The Constitution lodges in the Congress the power to declare war, and throughout our history the Congress has been recognized as the only branch which could declare wars. This power to declare war is not outmoded simply because we have grown from an America composed of Thirteen Colonies and separated from the rest of the world by an impenetrable sea barrier to an international leader, or which is outdated by modern warfare. As Senator STENNIS stated when introducing this resolution.

I remember I was standing at the desk which is behind me now when the news came into this Chamber that troops had been ordered to land in Korea. I knew that this was the first time in our history a deliberate decision had been made to land troops, an army, in a war against another nation without a declaration of war by the Congress of the United States.

Senate Joint Resolution 95 is an attempt to delineate more clearly the war powers of the executive and the legislative branches. At the same time, it would insure that the decision to go to war, a decision too massive and too important to be decided by one man, would again become the collective judgment of the President and the elected representatives of the American people. The resolution guards the powers of the President and the security of the Nation by outlining very carefully those emergency situations in which the President may commit American troops to combat abroad. At the same time, the resolution safeguards the right of the Congress to declare war by placing a time limit on this commitment of troops. The time limit, 30 days, is long enough to avert a disaster, but short enough so that if a full-scale war is to be begun, the Congress too will be required to authorize it.

Finally, in placing this resolution before the Congress, Senator STENNIS has made a significant contribution to what ought to be a long, serious discussion, and a protracted study, by the Senate, the Congress, and in fact, the whole Nation, in what the future role of the Congress and the President ought to be in the declaration of war. It is a study which the Congress has long shoved aside, and which has not been resolved satisfactorily in the entire history of our Nation. The possibilities for total annihilation today, and the volatile and dangerous situation of the world today

ment, rehabilitation, and research. His statement, I believe, puts quite forcefully the case for a national commitment against drug abuse and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

DRUG ABUSE: TREATMENT AND REHABILITATION
(Statement of Senator JOHN V. TUNNEY)

Mr. Chairman, on June 17th, the President declared that, in his judgment, the problem of drug abuse "has assumed the dimensions of a national emergency," and proposed additional appropriations and the establishment of a new Special Action Office for Drug Abuse Prevention, to co-ordinate the Federal response to that emergency. The papers have been filled with glowing reports of drug abuse programs to be funded with millions of dollars, promising quick relief for those ravaged by the habit. And yet, in spite of all the publicity in recent weeks, the drug abuse problem, heroin addiction particularly, continues to plague society to degrees never before imagined in our worst nightmares. While I applaud the President for his belated recognition of the magnitude of this problem, I feel we must critically examine the Administration's proposals because I believe there are still critical shortcomings in the Federal response.

The Administration has requested approximately \$89 million for treatment and rehabilitation programs under the Department of Health, Education and Welfare. Although this represents a significant increase in the funding level for such programs, it is inadequate to meet the critical increase in problems now being reported by every hospital and clinic in the nation. In fact, the significance of the increase in the Administration's budget request is nearly lost when the size and rate of growth of the problem is considered.

One great source of concern to me is that the Administration has in large measure overlooked the use of the community mental health centers to treat drug addicts. I do not need to tell any of you here that drug addiction is a much a psychological as a physiological problem. While a new superagency may provide valuable assistance in co-ordinating Federal drug abuse activities and developing overall strategy, it cannot be expected to develop effective treatment centers at the community level, where the real solutions lie. This is the job of the community mental health centers, which is why I consider them to be of such paramount importance in any program of drug abuse treatment. Dr. Sherman N. Kleffer, the Associate Director of Patient Care of the National Institute of Mental Health, stated in testimony before Senator Hughes' Subcommittee on Alcoholism and Narcotics barely two months ago, that community-based treatment programs are the best, and perhaps the only means of providing help, particularly to young people with drug problems. Dr. Kleffer said, "Our emphasis has been on trying to beef up the resources the treatment capabilities within each community to handle these situations."

One thing should be made clear here; a community mental health center is not a place; it is rather an affiliative agreement between several institutions capable of offering comprehensive treatment to the drug addict. Such an organizational arrangement makes it possible for the patient to receive the full range of needed treatment at affiliated local hospitals, vocational rehabilitation centers, and educational and consultation services, etc. Drug treatment must always be co-ordinated, or the chances for permanent cure will be virtually nil. The essential five services included in this comprehensive

treatment are: (a) In-patient care; (b) out-patient care; (c) Partial hospitalization; (d) 24-hour emergency services; (e) Consultation and education services. The pattern of institutional affiliation used by the community mental health centers boasts a number of distinct advantages: (1) it assures continuity of care for the addict—as the patient is transferred, say, from a hospital to a rehabilitation center, his treatment record will follow him, making integrated treatment possible; (2) it assures a geographic comprehensiveness which does not currently exist in most cities—that is, an addict living within the community is guaranteed treatment, regardless of ability to pay; (3) the centers are flexible enough to be able to specialize in drug treatment, thus offering leadership in the field which standard institutions are incapable of generating on their own—city and county hospitals and mental health facilities, where they exist, generally find themselves so pressed for time and money that they rarely can devote the attention to treatment techniques that the community centers specialize in every day.

And yet, despite the admitted importance of these community mental health centers, funding for Fiscal Year 1972 is disappointingly meager. There are 60 major cities in this country with serious, serious heroin addiction and drug abuse problems, but treatment facilities are still woefully inadequate. Yet, as I stated earlier in my testimony, the Administration's request for Fiscal Year 1972 asks for only an additional \$15 million, funds which will go toward supporting some new centers, but not for the expansion of any drug treatment operations.

For special staffing under the narcotics addicts treatment program of the community mental health centers, the Administration budget allocated only \$14.6 million, all of which is for the continuation of current projects related to drug abuse treatment, but for new projects. Yet the demands for treatment at these centers is rapidly growing, as we all know. The number of addicts in the military services, for example, is more than six times the number that can be handled by the V.A. centers now established or planned. The community mental health centers must be able to cope with this overflow, as well as with substantial numbers of addicts from civilian life. Right now, unfortunately, most of the drug treatment centers at the community medical health centers have long waiting lists, large numbers of Vietnam veterans among them. The result of this conflict between pressing needs and staff resources available is tragic neglect. This sadness becomes all the more bitter when one hears of a staffing grant applied for by a center in San Francisco one-and-a-half years ago which was meritorious, but which was turned down because no funds were available. The treatment workers at the community level could see one-and-a-half years ago the rising trend in drug use which has led to the virtual epidemic which confronts us today. They could foresee the need for expanded staff and para-medical personnel to deal with that problem. But there were no funds available two years ago or one year ago, and there are none available today, to speak of. As the Hughes subcommittee hearings revealed, there are no new staffing projects or grants anticipated for Fiscal Year 1972 because there are no resources earmarked in the budget request.

There are phenomenal demands being made upon NIMH for new project grants in this area, but to little avail in many cases. The answer given is that while there has been much talk in Washington, the Administration and the Congress have been very slow in making a real commitment. The fact is that little in the way of federal funds for drug abuse control programs has actually reached the cities and communities where the problem exists. This problem was drama-

tized in Congressional hearings two months ago when NIMH officials, under cross-examination, revealed that they have for 1971 applications for three times as many grants as they can award, and yet they have not increased their budget request for grants for Fiscal 1972.

The funds earmarked for special projects, authorized under the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) is a further example of budgetary neglect in the face of desperate need. The Administration has requested \$9 million to finance the operation of specialized drug treatment centers, i.e., centers which offer one of the five critical phases of drug treatment. This category of grant is particularly useful in avoiding duplication in cities where certain treatment facilities already exist. Of the \$9 million request, however, \$4 million worth of projects are being transferred from the Office of Equal Opportunity to the community mental health centers. This means that there is no real gain in funding, since Fiscal Year 1971 expenditure was at the \$5 million level. And yet, grant requests pouring in from around the country total over \$26 million for 1971. This is another example of how far the need outstrips the funds available in the field of drug abuse control today. Grant requests for special projects are more than five times greater than the amount available, yet no new funds are requested.

The education and training portion of the drug abuse control program has also received scant attention. Although the President is requesting an additional \$10 million, thereby increasing the money available in this area to more than \$24 million, these figures only gain meaning when examined in the context of the total problem. Education is our first line of defense in combatting the problem, and, therefore, is the real heart of our preventive effort. Our educational efforts must be extended not only to our school-aged children, but to parents, educators and community leaders alike. In the face of this need, drug education has received less priority in the HEW budget request than it deserves.

These problems will not be alleviated by rhetoric from Washington. As a matter of fact, every time there is a newspaper or television report of more federal money being proposed or authorized or allocated or approved there is a new rush of patients at the drug treatment centers in San Francisco and Los Angeles, looking desperately for help. The sad fact is that they are turned away, in California and across the nation, because the kind of money needed for widespread treatment programs simply hasn't been made available. It costs at least \$1,000 a year to offer out-patient methadone-maintenance services to one addict, and that is a conservative estimate; if all addicts were so treated, the annual cost would mount to over \$300 million a year. To treat one addict in a residential therapeutic community such as Synanon costs over \$3,000 a year; such treatment for all addicts would cost well over \$900 million. That kind of money simply is not available.

In Fiscal Year 1971, the NIMH budget for drug-related programs was \$37 million. In Fiscal 1972, the original request was exactly the same, \$37 million. The President's proposal will add \$67 million, including \$43 million for treatment programs particularly. However, in view of the figures discussed previously, this allocation is clearly inadequate. It seems obvious that twice or even three times that amount could be wisely spent. It is my profound conviction that until the Administration and this Congress make that sort of a commitment, the fight against drug abuse is doomed to be a losing battle.

The meager allocations proposed here by the Administration guarantee that location of treatment centers will be scattered and inadequate, or that resources will be concen-

make a clear, final decision on this constitutional question imperative if we are to survive as the powerful Nation we are now.

Mr. President, I deem these two proposals—S. 2444 by Senator COOPER and Senate Joint Resolution 95 by Senators STENNIS and MANSFIELD—major steps in providing answers to the complex, yet crucial questions which have arisen concerning the constitutional balance of power between the legislative and executive branches of the Government. They are questions which we can continue to ignore only at the peril of the continued viability of the intricate system of checks and balances which are so necessary to a stable government.

NEA ANNUAL CONVENTION, 1971

Mr. MONDALE. Mr. President, I had the good fortune recently to participate in and address the annual convention of the National Education Association held in Detroit, Mich., June 28 to July 2.

At this convention, Mrs. Helen Bain, the outgoing president, presented an eloquent and thoughtful address on the needs and responsibilities of education. Mrs. Bain—who in my judgment has provided the Senate with excellent advice and counsel on both legislative and appropriation questions concerning education during her past year in Washington—emphasized the need to reorder priorities and the need for educators to become involved in the political process.

I ask unanimous consent that her excellent address be printed in the RECORD.

I also ask unanimous consent that the very interesting and stimulating report of the NEA on governance and finance of public education be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ADDRESS BY MRS. HELEN BAIN

One arrives at this point in an NEA presidency with much to say and a concern that it be said adequately.

I began this year with a firm belief in the teachers of this country, with confidence in your ability, your courage, and your intelligence. I end this year with an even stronger conviction that teachers are the most important people in the world. You are my hope for a better future, and you are the hope of millions of people around this world as we work to improve society, both here and abroad.

The truism has become a necessity—education must solve our problems. It is apparent that education moves, changes, and improves best when teachers move it, change it, and improve it. Our profession through the National Education Association is a force to be reckoned with.

Teachers are on the move educationally and politically on the local, state, and federal levels. The influence which we have achieved is most encouraging. However, we are just beginning. We have not yet reached our full potential in serving the students and teachers of this nation. To reach that potential, we must continue to use our influence and to build our strength wisely.

Change enables us to meet the needs of teachers more effectively. The teachers have indicated their preference. The past year has been good for us, but bad for the AFT. We

continue to score impressive representation election victories. During this last year, NEA affiliates won elections in Seattle, Portland, Cincinnati, Louisville, and New Orleans, and every one of fourteen elections held in Ohio. The AFT conducted at least four disastrous strikes . . . Newark, Hartford, East St. Louis, and Minneapolis. The two major organizational goals of the AFT during the last year were the State University of New York and the statewide election in Hawaii. The teachers in both cases showed their wisdom, and produced victories for themselves, their state affiliates, and the NEA.

These victories show that the NEA is the teachers' best bet.

However, we will not become complacent. We must continue to improve the NEA so that we may become a greater power for changing the status of education. The Constitutional Convention is indicative of the profession's determination to do this.

For those of us here who will be delegates to the Constitutional Convention, I wish success in our deliberations. My prayer for us is that we possess the courage and wisdom to devise a strong structure for the United Teaching Profession.

We are now a large and complex organization governed by the delegates to this Assembly, and by the elected members of the Board of Directors and the Executive Committee. This Assembly wisely saw the magnitude of that governance function when it approved full-time leave for the President, and then the President-Elect. We have taken many other positive steps in recent years in recognition of the size and complexity of our organization. Other actions must yet be taken. One, in particular, I call to your attention.

Immediate Past President George Fischer and President-Elect Don Morrison join me in recommending a two-year term for the NEA President. Each of us has seen something of the magnitude and of the responsibility of this position. We request this not for ourselves, but for the men and women who are yet to be elected. We know that the responsibilities grow each year, and the individuals who occupy this high office will find it increasingly difficult, if not impossible, to represent you adequately and carry out the duties of the office in one year. No one acts or speaks more often in your behalf than does your President. In the interest of continuity, it is time that we elected our president for a two-year term.

An area not waiting for ConCon is the involvement of the Student NEA in NEA policy making. We have given the SNEA President the right to deliberate with the NEA Executive Committee. The Board of Directors has done the same thing for five SNEA Members. You will have an opportunity to vote for an amendment which will give them delegates to our Representative Assembly. This is necessary for them to have meaningful involvement, and I urge you to vote for it.

This past year, they have made many significant gains. Their efforts contributed to the passage of the 18-year-old vote in Congress. Active student involvement is a positive step toward strengthening change within the American system. The students also want to work within the system of the professional association to produce changes in American education. We must be sure that the NEA has a sound, viable structure.

To maintain viability, the NEA must be kept on a sound financial basis. Our practice of spending an entire year's income within that year is not a wise practice. In some years, it has been necessary, but, as a practice, it has not allowed the development of reserves for the future, nor has it provided for emergencies within the year. This year's budget contains a modest beginning to establish such funds. I urge you to give your sup-

port to the need for such funds within a balanced budget.

I would like to share a new experience that I had this year. An employee strike against an employee organization though not unusual is always embarrassing, and the NEA is no exception. For the first time in my career, I found myself on the management side of the table. Your Executive Committee and I set the parameters for management before negotiations began, and we ratified the agreement after negotiations were completed. The role wasn't comfortable, but it was necessary. As officers, we had a responsibility to represent your interest and insure that your dues money was wisely spent.

The strike caused some confusion of roles, and I know this also occurred at the state and local level, but out of the confusion came learning. And, out of the impasse came resolution. Negotiations produced a settlement and contract satisfactory to both sides. You can be pleased with the contract which you have with your employees.

I have tried to serve as your president with a sense of responsibility that meets with the approval of the teachers of this nation. At this time, I am privileged to make this presidential report on our progress in achieving the priorities I placed before you in San Francisco last year. Events of this past year make the early achievement of these goals imperative.

Perhaps the greatest concerns of teachers throughout this country are the alleged oversupply of teachers and the inadequate financing of education.

Rising prices, generally poor economic conditions, and criticism of the schools are contributing to the serious cutbacks in school finance, which in turn forces teacher cutbacks. Our condition is properly called an underfunding of schools, not an oversupply of teachers.

There are many unmet needs: Adequate early childhood education would call for far more teachers.

Vocational and technical teachers, and remedial teachers are greatly needed.

You and I know full well we need tens of thousands of additional teachers to reduce class size to manageable levels.

This year, teachers are not in oversupply, but schools are understaffed.

Teachers must take the lead in correcting these problems. Once again, the strength of public education depends upon a will and determination of the teachers to take the actions necessary to improve it. Fortunately, we have some means at our disposal to begin to take these steps.

First, you must this week give the NEA the authority necessary to act at the national level to correct the general underfunding of schools. The most significant single action you could take at this convention would be to direct the NEA to rejoin and resume leadership of the Emergency Committee for Full Funding. This spring, the NEA could not support the Hathaway amendment and it lost by four votes, and education lost 750 million dollars, 750 million dollars would go a long way toward the reemployment of our colleagues who are out of work.

Another significant way that we can help is through professional negotiations.

Last year, we identified as one of our priorities the securing of professional negotiation laws in every state. Although this has been an off year for many state legislatures, much has been accomplished. At the present time, approximately fifteen states are preparing to join the twenty-four which already have negotiation laws. Within the last two years, the number of locals with professional negotiation agreements has increased from less than 1,000 to 10,500, and the number of teachers covered by these agreements has increased eight times. These agreements have become increasingly important to teachers

in establishing their salaries, conditions of teaching, involvement in the determination of curriculum, and in the current situation, the protecting of job rights. This leads me to our goal of self-governance of the teaching profession.

This profession is determined to establish its own system of who comes in, who stays, and who leaves. We intend to see that this is based on true educational achievement, classroom expertise, and the judgment of our peers. During the last year, extensive work has been done to develop model legislation for self-governance. The effort will be accelerated during the coming year. We must be in the forefront of this drive.

Last year, you asked for a reordering of our national priorities. Our first move to give education the dignity and the importance it merits was to call for a Cabinet Post for Education. If you come to think about it, it is an absurdity that we are probably the only nation on earth which does not have a cabinet post devoted to education. From Norway to New Zealand, from Burma to Britain, every country has a minister of education. We, on the other hand, created an unmanageable bureaucracy called HEW, whose head has the impossible and conflicting tasks of devoting his attention to three separate and distinct areas of national concerns: health, education, and welfare. It is my view that one of the many reasons for the existence of the welfare mess lies in the organizational monstrosity of HEW. A Cabinet Post for Education would mean not only that there would be a man—or woman!—at the President's council table whose sole advocacy and principal concern would be the cause of education in America, but it would also mean that responsibility could finally be put at the Cabinet level for federal educational policy.

This is not exactly a new idea. In 1921, a joint resolution passed by fourteen national organizations asked that "education be given recognition commensurate with its supreme importance to the Nation," and stated: "In view of the reorganization now pending, the present is a most opportune time for giving education its proper place in the Administrative Branch of the Government . . . we respectfully urge that the President of the United States use his great influence to bring about the creation of a Department of Education with a Secretary in the Cabinet." Some of the fourteen national organizations signing this resolution were the NEA, the American Federation of Labor, the American Library Association, the National Council of Jewish Women and the PTA.

That was 1921. The resolution expressed then is still appropriate today. A half century later, in 1971, we know that this resolution can be implemented only through political action.

The educational forces in this nation have mounted a nationwide campaign to achieve our goal. You met the leaders of these national organizations tonight. There are six others who have endorsed the idea, and several others will consider it at their national conventions. We are establishing statewide teams of our Big Six Coalition to be headed by our Board members in each state. You have already participated in two letter-writing campaigns.

With this kind of positive political action, I am convinced that we shall have a Secretary of Education before we reach our two hundredth birthday in 1976. That will insure that the federal government's share is more than the small fraction of the cost of public education which it is now paying—less than seven percent. It seems to me that by the time this nation is two hundred years old its federal government must be both willing and mature enough to pay for one-third of the cost of public schools. This will not only create a more just and equitable access to

education, it will help drastically to reduce the mushrooming cost of welfare and correctional expenditures.

It may sound incredible, but it is true that in the City of New York last year, with its eight million people, there were as many homicides as in about a dozen European countries with a population of some 140 million. These countries include Sweden, Denmark, Norway, Finland, Austria, Switzerland, Holland, Spain, Portugal, and the United Kingdom, with huge metropolitan concentrations in London or Amsterdam or Stockholm or Copenhagen, and elsewhere.

We simply cannot tolerate the possibility that this land of ours become one of the least civilized and most unsafe places on earth. Decent educational and employment opportunities will mean a better quality of life throughout this land, and with greatly reduced public costs of nonproductive welfare and penal expenditures.

Last year, I urged political action as the way to achieve these priorities. You were magnificent in your response. Examples of teacher power in the political arena are countless. Let me just mention a few.

The teachers of California helped put John Tunney in the U.S. Senate and George Murphy went into public relations work. Wilson Riles became the state commissioner of education, and whatever happened to Max Rafferty?

The teachers of Alaska conducted the most intense campaign in their history. From local school boards through a seat in Congress, they made their mark. Nick Begich, a former educator and an ardent supporter of education, was moved from the state legislature to the U.S. Congress.

The teachers of Florida helped bring to an end to the reign of Claudius Maximus Kirk and Ruben Askew became governor. In the process, they took care of a hopeful named Carswell and an incumbent named Cramer.

The teachers of Washington State voted and won, and Congresswoman May learned that it doesn't pay to oppose every piece of educational legislation. The district is now represented by Mike McCormack, who is a friend of schools.

The teachers of Ohio had had enough, so for the first time in their history they backed a candidate for governor. He won, and John Gilligan is pushing hard for better education.

Teachers worked for Republicans and Democrats, but always for education. NEA is a bipartisan organization. We are made up of good Democrats and good Republicans. Nothing would have pleased me more than to be able to report to you on the marvelous leadership in the cause of education by the President of the United States. This has clearly not been the case.

When I took office at this time last year, I felt that it would be in the best interest of education in this country for the NEA to make a real effort to work with Mr. Nixon's administration. As your president, I extended a friendly hand. It has remained extended and unwelcomed by him. My efforts in your behalf to confer with the President of the United States on the crucial educational needs for the millions of children in this nation were ignored. Further efforts to reach the President were made through Congressman Quile, George Schultz, Elliot Richardson, Sid Marland, Robert Finch, and many others.

One last effort was made in late April, when every member of the Board of Directors signed and sent to the President a letter requesting that he give us an opportunity to present our cause. As yet, there has been no acknowledgement of this request. The only word from the White House has been a refusal of the President to speak at this convention.

In this age of technological wonders, the lack of leadership, the lack of compassion,

and the lack of creative solutions at the highest levels in our national government are frightening. A lion's share of the nation's ill, frustrations, and failures must be placed at the doorstep of Richard Nixon.

When we look at our nation's vast resources and the failure of this administration to mobilize them for the country's benefit, it is frightening. As we look back over the last year, during which we combined the highest interest rates in a century with the worst unemployment in a decade and the most appalling inflation in a generation, it is frightening.

We must not accept these conditions. What is called for is effective action within our system to get our priorities straight, to streamline the apparatus of our federal government, and to commit our resources to achieve our true national objectives.

This is the most anti-education administration this country has had in many years. This administration has repeatedly made statements which were calculated to reduce confidence in public education. On rare occasions, Mr. Nixon has asked educators to serve on such task forces as urban education, higher education, and student unrest. In each instance, he had discredited and ignored the reports. It seems that the administration attacks the schools because that is much cheaper than financing them.

Our concern for the adequate financing of education is shared by the Congress of the United States, which felt strongly enough to override the President's veto of education appropriations.

Mr. Nixon says we need to know more about learning. He was not aware of the things you and I learned shortly after we first started into a classroom: That a hungry child cannot learn; That children cannot learn in an overcrowded and understaffed school; That schools cannot function in a constant state of financial crisis.

In 1968, Congress appropriated 60 percent of the authorized aid to education. In 1969, the ratio was 46 percent. In 1970, 37 percent, and this year, 36 per cent. In other words, of the total amount authorized for education this year, only a little more than one-third will actually be spent.

Mr. Nixon's educational promises far exceed his educational performance. By definition, Mr. Nixon is an underachiever.

I do agree with Mr. Nixon on one thing, however. There should be accountability. This should include presidents, too. Any president who vetoes educational funds and calls them inflationary, and fights for obsolete weapon systems and calls them progress, should be held accountable. Mr. Nixon has called for our accountability for over thirty months. In November of 1972, we shall call for his.

For my conclusion, I have chosen one of our most important goals—the work in the area of human relations on local, national and international levels. I am very pleased with the activity and the movement in developing human relations programs and the considerable accomplishment of both our state and our local associations. There are now forty state associations with active human relations programs. We have over 2,000 local associations throughout this country which have established local human relations programs.

On a national level, we have had an active part in at least two significant decisions which have been made this year. We now have a rule from the highest court in this land concerning the integration of our schools. Many of the points made in the NEA brief presented in the Charlotte-Mecklenburg case were found in the final decision of the Supreme Court. We should take pride in having had a part in the establishment of this ruling, which clearly establishes the guidelines for the effective integration of